

Exhibit 1

1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF MISSOURI
3 EASTERN DIVISION

4 GEORGE MOORE and VIRGINIA)
CARTER, et al., on behalf of)
5 themselves and all others)
similarly situated,)

6)
Plaintiffs,)

7)
VS.)

Cause No.

8) 4:18-cv-01962-SEP

COMPASS GROUP USA, INC.,)

9 d/b/a CANTEEN,)

10 Defendant.)

11 VOLUME I

12 VIDEOTAPED VIDEOCONFERENCE (30)(b)(6) DEPOSITION OF

13 DAVID GOLDRING

14 TAKEN REMOTELY ON BEHALF OF THE PLAINTIFFS

15 IN OKLAHOMA CITY, OKLAHOMA

16 ON JUNE 9, 2021

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18 REPORTED BY: DAVID BUCK, CSR
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A P P E A R A N C E S

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Also Present: Jeff Henry
(By Videoconference)

The Videographer: Grant Cihlar
(By Videoconference)

1 that. Let me take a step back. You're not going to
2 hear that from me very often, but when I agree I
3 agree.

4 Q. (By Mr. Partain) How was the data collected in
5 the field? Was -- and by that I mean if it was a
6 route driver, for instance, that was doing the survey
7 on a particular day on a particular machine, how did
8 that route driver collect the data and transmit that
9 data to -- to you and your group?

10 A. It was done via an app. So, whoever was doing
11 the survey had to have a phone that had picture taking
12 capability and the ability to use the app that we
13 developed specifically for this project.

14 Q. Okay. So, I assume you hired a vendor to
15 create this app or was it done in-house?

16 A. We did it in-house.

17 Q. Okay. So you in-house created an app that
18 could be downloaded and used on a phone for -- for
19 someone that was at a particular machine. Is that
20 right?

21 A. That's correct.

22 Q. And the app would guide that person through
23 the process of gathering the data for that machine.
24 Is that right?

25 A. Yes. It had a series of specific questions

1 that they had to either answer or do something before
2 they could proceed through the survey.

3 Q. And were the folks doing the survey in the
4 field required to physically take pictures of each
5 machine?

6 A. Yes.

7 Q. Specifically were they required to take
8 pictures of where the labeling either was or should
9 be?

10 A. Yes.

11 Q. And those pictures along with the data
12 collected for that machine were then transmitted back
13 to North Carolina. Is that right?

14 A. Yes.

15 Q. And when they were transmitted back to North
16 Carolina, where did they go? Like I'm asking this the
17 wrong way because I'm just so bad with computers and I
18 apologize. But was there a database, for instance,
19 that all this data was uploaded to?

20 A. Yeah. It would have gone into our data
21 warehouse, our data lake.

22 Q. You called it a data warehouse or a data lake.
23 Is that right?

24 A. Correct.

25 Q. And was some sort of software program or

1 application created specifically for the survey to
2 process all this data?

3 A. So we developed an app. The app was designed
4 so that, again, to your earlier point, that the data
5 would be uploaded into this data warehouse and then we
6 could download information from that data warehouse
7 into Excel or other software so that they could look
8 at the data and get whatever information we needed
9 from that based on the information collected.

10 Q. Okay. So, I think I have a basic
11 understanding. So let's go back to Exhibit 11 here.
12 Do you know how it was that the -- what appears to be
13 the data from the survey for the State of Alabama, and
14 again there appear to be 3,184 entries, do you know
15 how that data was transferred from your data warehouse
16 to this spreadsheet?

17 A. I don't know specifically, but again, it
18 was -- we had the capability to download the
19 information so that it could be sorted and -- and
20 reviewed.

21 Q. Okay. Do you know who the person or persons
22 at Canteen were that were responsible in our case here
23 for take -- for creating these spreadsheets and
24 transmitting them to the attorneys to give to us, do
25 you know who those people were?

1 A. There's a lady named Martha Morgan and she was
2 the individual that was tasked with developing the app
3 in conjunction Canteen's IT group and making sure that
4 it all functioned and gave us the information that we
5 believed would be relevant.

6 Q. Okay. And so looking at this particular
7 spreadsheet, there are a number of columns up here
8 that are -- that contain redacted information. The
9 first one says survey instance ID.

10 Do you see that?

11 A. Yes.

12 Q. Do you know what that refers to?

13 A. I don't, but I believe that every survey had
14 an ID number and that that's that was.

15 Q. So, for instance, this particular machine here
16 at -- or I'm sorry, Machine 21007 would have had its
17 own, at least for this survey, it's own unique
18 identifier. Is that right?

19 A. Correct, because we could identify it back to
20 the individual that actually took the survey.

21 Q. And do you know whether there were any
22 attorneys directing you to specifically provide unique
23 identifiers for each and every machine?

24 A. No, I don't.

25 Q. Same thing about survey date here, that seems

1 hour good for you?

2 THE WITNESS: Yeah, that's plenty.

3 MR. PARTAIN: That's fine with me. We'll come
4 back, let's just make it 11:15 my time which is, what,
5 1:15 and 2:15 your guys' time. Okay?

6 THE WITNESS: Okay.

7 MR. PARTAIN: All right, we'll see you then.

8 THE WITNESS: Thank you.

9 THE VIDEOGRAPHER: We're going off the record.
10 The time is 1:38 p.m. eastern and this is the end of
11 media unit two.

12 (A recess was here had 1:38 to 2:17.)

13 THE VIDEOGRAPHER: We're going back on the record.
14 The time is 2:17 p.m. eastern and this is the
15 beginning of media unit three.

16 Please continue.

17 Q. (By Mr. Partain) Sir, are you ready to
18 continue?

19 A. Yes.

20 Q. After the survey was completed in or around
21 February of 2020, did you and your team do anything to
22 audit the results of the survey?

23 A. No. We were really primarily focused on
24 trying to make sure that we had covered all of the two
25 tier designated machines.

1 Q. Okay. Well, for instance, you told me that
2 the app that was being used by the folks out in the
3 field required the person gathering the data to take a
4 photograph of where the labeling should be. Is that
5 right?

6 A. Yes.

7 Q. Did anyone go back and take a sample of 500 or
8 a thousand or 5,000 of the results to compare the
9 photographs with the actual data that was recorded?

10 A. I looked through some of the photographs just
11 to kind of see what the -- what kind of the visual
12 results were, but I didn't look at anywhere near a
13 thousand or anything like that.

14 Q. Okay. Well, I guess what I'm saying is or
15 what I'm asking I should say is that is it possible
16 that data was either input incorrectly or that someone
17 in the field checked yes when it should have been no
18 and -- and -- and there's some error rate in there
19 that you don't know about?

20 A. It's certainly possible, it is when you're
21 going through this many machines and the -- and a
22 number of different people coming in and out of the
23 project, yes, I'm sure there could be errors. As to
24 the error rate, I have no idea.

25 Q. Okay. With respect to the universe of

1 machines that were included in the survey, you told me
2 earlier I think that the only machines which were sent
3 to each branch to be surveyed were those that had two
4 tier activated at the time the survey began. Is that
5 right?

6 A. Yes.

7 Q. So, if two tier had been activated for a time
8 but then deactivated prior to the survey, the survey
9 necessarily wouldn't have included that particular
10 machine in the survey. Right?

11 A. No, that's incorrect. It would have come back
12 in and shown up as an exception and then they went
13 through those exceptions because we have machines that
14 there's quite a bit of machine movement whether it's
15 being pulled out of the field or put into the field.
16 So we needed to make sure that during the survey time
17 we were covering that up.

18 Q. And when you say that -- a particular machine
19 that had been deactivated, the two tier had been
20 deactivated prior to the survey was an exception, what
21 does that mean?

22 A. Well, you asked if machines that were not
23 active at the start but were activated during --

24 Q. No, no. That's not what I asked.

25 A. -- they would have been included. So --

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C E R T I F I C A T E

STATE OF OKLAHOMA)
) SS:
COUNTY OF OKLAHOMA)

I, David Buck, Certified Shorthand Reporter within and for the State of Oklahoma, do hereby certify that DAVID GOLDRING was by me first duly sworn to testify the truth, the whole truth and nothing but the truth, in the case aforesaid; that the above and foregoing deposition was taken in shorthand and thereafter transcribed; that the same was taken on June 9th, 2021, in Oklahoma City, Oklahoma; that I am not an attorney for nor a relative of any said parties, or otherwise interested in said action.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 15th day of June, 2021.



David Buck, CSR #1585